UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/509,852	09/30/2004	Nicolas Drevon	Q83107	4310

23373 7590 06/04/2008

SUGHRUE MION, PLLC
2100 PENNSYLVANIA AVENUE, N.W.
SUITE 800
WASHINGTON, DC 20037

EXAMINER	
ELCENKO, ERIC J	

ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
06/04/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/509,852	DREVON, NICOLAS	
	Examiner	Art Unit	
	ERIC ELCENKO	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *04 March 2008*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-16* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-16* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments have been fully considered but they are not persuasive. The applicant argues Hogan does not teach the claimed feature “transferring roaming agreement information from a core network to a radio access network" but does not give further argument against Hogan. Instead the applicant further argues against the Iu interface and its technical specification arguing capabilities of the interface. The interface is used in Hogan for transferring roaming and subscriber information between the core network and the RNC specifically showing the transfer between a core network and a radio access network

Applicant's arguments also fail to comply with 37 CFR 1.111(b) because they amount to a general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-16 are rejected under 35 U.S.C. 102(b) as being anticipated by Hogan et al. (U.S. Pub. No. 2002/0111180)

In regard to Claim 1, Hogan teaches a method for controlling access rights in a cellular mobile radio system, comprising transferring roaming agreement information from a core network to a radio access network of said cellular mobile radio system, (*the core network and the radio access network communicate via the Iu interface in the control plane, (Para 12-13)*) wherein said roaming information is transferred independently of messages linked to calls or user equipment. *(Hogan teaches subscriber groups and roaming restriction groups, both of which are pre-agreed upon operators prior to the interaction of a specific subscriber into the systems, so that when a subscriber is entered into the operation the systems already have the knowledge and protocol with how to deal with the subscribers coming into their system. The operators and the subscriber groups can be defined or expressed as one or more IMSI-PLMNs in which only a portion of the IMSI is used to define the groups based upon the PLMN. (Para 15-19))*

In regard to Claim 2, Hogan teaches wherein the roaming agreement transferred is common to a public land mobile network (PLMN) identified by a subset of an international mobile subscriber identity (IMSI) number. *(The operators and subscriber groups can be defined or expressed as one or more IMSI-PLMNs in which only a portion of the IMSI is used to define the groups based upon the PLMN (Para 15-19))*

In regard to Claim 3, Hogan teaches where said subset includes a mobile country code (MCC) and a mobile network code (MNC) field. (*The home-public land mobile network HPLMN id can be extracted from the IMSI. In this regard the HPLMN id is the mobile country code, MCC, and the mobile network code, MNC. (Para 19))*

In regard to Claims 4 and 5, Hogan teaches wherein according to said roaming agreement information access to a visited public land mobile network is authorized for the whole VPLMN or limited to certain areas of said VPLMN, wherein said certain area of said VPLMN are areas in which a HPLMN does not provide radio coverage. (*the network can be shared network wherein more than one operator controls the RNCs 26(1 and 2) wherein the RNCs of the other operators may be used in conjunction with their own cells to provide service (Para 54))*

In regard to claim 6, Hogan teaches wherein the roaming agreement information transferred is indicated for each location area (LA). *The operators and subscriber groups can be defined or expressed as one or more IMSI-PLMNs in which only a portion of the IMSI is used to define the groups based upon the PLMN (Para 15-19))*

In regard to Claim 7, Hogan teaches wherein said roaming agreement information is transferred in the event of modification of said information in the core network. (*the access group classification message can, as appropriate, be one of a location update response and a location update reject message, either of which can include the access group classification. (Para 24))*

In regard to Claims 8 and 9, Hogan teaches where the core network is configured beforehand with said roaming agreement information. (*the subscriber groups and restriction groups along with their compositions are typically pre-agreed among operators. (Para 15-17))*

In regard to Claim 10, Hogan teaches wherein said roaming agreement information is stored in the core network in a database of a visitor location register type. (*The subscriber information and groups are held in a location register. (Para 9))*

In regard to Claim 11, Hogan teaches a radio access network equipment of a cellular mobile radio communication system, the radio access network equipment comprising means for receiving roaming agreement information from a core network equipment, (*the core network and the radio access network communicate via the Iu interface in the control plane, (Para 12-13)*) wherein the roaming agreement information is received independently of messages linked to calls or user equipment. *(Hogan teaches subscriber groups and roaming restriction groups, both of which are pre-agreed upon operators prior to the interaction of a specific subscriber into the systems, so that when a subscriber is entered into the operation the systems already have the knowledge and protocol with how to deal with the subscribers coming into their system. The operators and the subscriber groups can be defined or expressed as one or more IMSI-PLMNs in which only a portion of the IMSI is used to define the groups based upon the PLMN. (Para 15-19))*

In regard to Claim 12, Hogan teaches the radio access network equipment is a radio network controller (RNC) *(Para12)*

In regard to Claim 13, Hogan teaches a core network equipment of a cellular mobile radio system the core network comprising means for transferring roaming agreement information to a radio access network equipment, (*the core network and the radio access network communicate via the Iu interface in the control plane, (Para 12-*

13)) wherein the roaming agreement information is transferred independently of messages linked to calls or user equipment. *(Hogan teaches subscriber groups and roaming restriction groups, both of which are pre-agreed upon operators prior to the interaction of a specific subscriber into the systems, so that when a subscriber is entered into the operation the systems already have the knowledge and protocol with how to deal with the subscribers coming into their system. The operators and the subscriber groups can be defined or expressed as one or more IMSI-PLMNs in which only a portion of the IMSI is used to define the groups based upon the PLMN. (Para 15-19))*

In regard to Claim 14, Hogan teaches wherein said roaming agreement information is stored in a visitor location register (*Para 9)*, and said core network equipment takes a form of a mobile switching center (MSC) type equipment connected to a VLR. (*Para 52)*

In regard to Claim 15, Hogan teaches where said roaming agreement information is stored in a VLR and said core network equipment takes the form of a GPRS support node type equipment. *(Para 52)*

In regard to Claim 16, Hogan teaches a mobile radio system comprising a plurality of terminals, (*subscriber lists and multiple lists provided from service providers of list of mobile subscribers in the system. (Para 15-19))* a core network which contains roaming agreement information (*the information is pre-agreed upon and distributed throughout the network. (Para 15-19))* a radio access network which communicates with the mobile terminals and the core network and manages mobility of mobile terminals

within the radio access network *(Para 12, 52)*, wherein said roaming agreement information is transferred independently of messages linked to calls or equipment. *Hogan teaches subscriber groups and roaming restriction groups, both of which are pre-agreed upon operators prior to the interaction of a specific subscriber into the systems, so that when a subscriber is entered into the operation the systems already have the knowledge and protocol with how to deal with the subscribers coming into their system. The operators and the subscriber groups can be defined or expressed as one or more IMSI-PLMNs in which only a portion of the IMSI is used to define the groups based upon the PLMN. (Para 15-19))*

Conclusion

3. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC ELCENKO whose telephone number is (571)272-8066. The examiner can normally be reached on M-F 7:30 AM through 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc Nguyen can be reached on (571) 272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ee

/Duc Nguyen/
Supervisory Patent Examiner, Art Unit 2617